

HOUSE BILL 4

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EMERGENCY BILL

3lr3535

By: **Delegate Kramer**

Introduced and read first time: August 10, 2012

Assigned to: Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Civil Action – Liability for Damages Caused by Dog Bite**

3 FOR the purpose of establishing that, in a civil action for damages caused by a dog
4 bite, the common law that applied on a certain date to a civil action for damages
5 caused by a dog bite shall be retained; stating the intent of the General
6 Assembly to abrogate the holding by the Court of Appeals in a certain case;
7 providing for the application of this Act; making this Act an emergency
8 measure; providing for the termination of this Act; and generally relating to
9 liability in a civil action for damages caused by a dog bite.

10 BY adding to

11 Article – Courts and Judicial Proceedings

12 Section 3–1901 to be under the new subtitle “Subtitle 19. Liability for Damages
13 Caused by Dog Bite”

14 Annotated Code of Maryland

15 (2006 Replacement Volume and 2011 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
17 MARYLAND, That the Laws of Maryland read as follows:

18 **Article – Courts and Judicial Proceedings**

19 **SUBTITLE 19. LIABILITY FOR DAMAGES CAUSED BY DOG BITE.**

20 **3–1901.**

21 **IN A CIVIL ACTION FOR DAMAGES CAUSED BY A DOG BITE, THE COMMON**
22 **LAW THAT APPLIED ON JANUARY 1, 2012, TO A CIVIL ACTION FOR DAMAGES**
23 **CAUSED BY A DOG BITE SHALL BE RETAINED.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 SECTION 2. AND BE IT FURTHER ENACTED, That, subject to Section 3 of
2 this Act, it is the intent of the General Assembly that this Act abrogate the holding of
3 the Court of Appeals in Tracey v. Solesky, No. 53, September Term 2011.

4 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall be
5 construed to apply only prospectively and may not be applied or interpreted to have
6 any effect on or application to any cause of action arising before the effective date of
7 this Act.

8 SECTION 4. AND BE IT FURTHER ENACTED, That this Act is an emergency
9 measure, is necessary for the immediate preservation of the public health or safety,
10 has been passed by a ye and nay vote supported by three-fifths of all the members
11 elected to each of the two Houses of the General Assembly, and shall take effect from
12 the date it is enacted. It shall remain effective through September 30, 2013, and, at
13 the end of September 30, 2013, with no further action required by the General
14 Assembly, this Act shall be abrogated and of no further force and effect.